

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

HAYNES INTERNATIONAL, INC.,	)	
a Delaware corporation,	)	
	)	
Plaintiff,	)	Civil Action No. 04-197(E)
	)	
v.	)	JURY TRIAL DEMANDED
	)	
ELECTRALLOY, a Division of G.O.	)	
CARLSON, INC.,	)	Judge Cohill
a Pennsylvania corporation,	)	
	)	
Defendant.	)	

**PLAINTIFF'S MOTION FOR LEAVE TO FILE ITS CONCISE  
STATEMENT OF UNDISPUTED AND MATERIAL FACTS IN  
SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT UNDER SEAL**

Plaintiff, Haynes International, Inc. ("Haynes"), by and through its undersigned counsel, hereby files this Motion for Leave to File Documents under Seal. In support of its Motion, Haynes avers as follows.

On September 27, 2005, Haynes filed a Motion for Partial Summary Judgment on Counts 1 and 2 of its Complaint. Haynes' supporting Brief and certain of the exhibits were filed under seal. Haynes' supporting Brief included a "Statement of Facts" section on pages 1-6. Haynes did not file a separate concise statement of undisputed and material facts.

In order for Defendant Electralloy to easily admit or deny each of the facts, Haynes is filing a separate Concise Statement of Undisputed and Material Facts. Haynes' Concise Statement of Undisputed and Material Facts mirrors the Statement of Facts found in Haynes' supporting Brief. Haynes is simply filing a separate Concise Statement of Undisputed and Material Facts so that Electralloy may admit or deny each fact pursuant to Local Rule 56.1.C.

Since Haynes' Concise Statement of Undisputed and Material Facts was taken from Haynes' supporting Brief which was filed under seal, Haynes' Concise Statement of Undisputed and Material Fact must also be filed under seal.

Accordingly, Haynes hereby moves this Court for an Order granting leave for Haynes to file the above-identified documents (Concise Statement of Undisputed and Material Facts) under seal. An appropriate form of Order is attached.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Dated: October 4, 2005

By: /s/ Bryan H. Opalko

Lynn J. Alstadt  
Pa. I.D. No. 23487  
Bryan H. Opalko  
Pa. I.D. No. 86721  
BUCHANAN INGERSOLL PC  
301 Grant Street, 20th Floor  
Pittsburgh, PA 15219-1410  
Phone: 412-562-1632  
Fax: 412-562-1041  
Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

The undersigned certifies that on this 4th day of October, 2005, a true and correct copy of the foregoing PLAINTIFF'S MOTION FOR LEAVE TO FILE ITS CONCISE STATEMENT OF UNDISPUTED AND MATERIAL FACTS IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT UNDER SEAL was served on the attorneys for Defendant by first class mail, postage prepaid, addressed as follows:

Timothy D. Pecsenye, Esquire  
Emily Barnhart, Esquire  
Jennifer L. Miller, Esquire  
BLANK ROME LLP  
One Logan Square  
18th and Cherry Streets  
Philadelphia, PA 19103

/s/ Bryan H. Opalko  
Bryan H. Opalko